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8 Attorneys for Plaintiffs

LSI Corporation, Agere Systems LLC and Avago Technologies General IP (Singapore) Pte. Ltd.

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12 LSI CORPORATION, AGERE SYSTEMS  
13 LLC and AVAGO TECHNOLOGIES  
14 GENERAL IP  
(SINGAPORE) PTE. LTD.,

15 Plaintiffs,

16 v.

17 FUNAI ELECTRIC COMPANY, LTD.;  
18 FUNAI CORPORATION, INC.; FUNAI  
SERVICE CORPORATION; and P&F USA,  
19 INC.,

20 Defendants.

CASE NO. 15-CV-04307-EMC

21  
22 STIPULATION AND [PROPOSED] ORDER  
23 TO REQUEST TRANSFER OF THE ITC  
24 RECORD TO THE DISTRICT COURT

25 WHEREAS, this case was stayed pursuant to the Order of May 31, 2012, pending resolution  
26 of Inv. No. 337-TA-837 at the International Trade Commission;

27 WHEREAS, on May 12, 2015, the United States Court of Appeals for the Federal Circuit  
28 issued its mandate resolving the 837 Investigation, thereby terminating the stay;

WHEREAS, 28 U.S.C. § 1659(b) states,

Notwithstanding section 337(n)(1) of the Tariff Act of 1930, after  
dissolution of a stay under subsection (a), the record of the proceeding  
before the United States International Trade Commission shall be

STIPULATION AND [PROPOSED] ORDER TO REQUEST TRANSFER OF THE ITC  
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transmitted to the district court and shall be admissible in the civil action, subject to such protective order as the district court determines necessary, to the extent permitted under the Federal Rules of Evidence and the Federal Rules of Civil Procedure;

NOW, THEREFORE, the parties hereby agree and stipulate as follows:

1. The complete record of the proceedings before the United States International Trade Commission in Inv. No. 337-TA-837 shall be transmitted to the United States District Court for the Northern District of California, civil action 15-CV-04307-EMC. Plaintiffs LSI Corporation and Agere Systems LLC will file this Order with the International Trade Commission.  
*within a week of the date of this order,*
2. The parties will notify every third party, including every respondent other than Funai Electric Company, Ltd., Funai Corporation, Inc., Funai Service Corporation, and P&F USA, Inc., from the ITC case of the transfer order. The parties' notice shall include: (a) a copy of this order and (b) a copy of the Protective Order governing this litigation.
3. Upon receipt of the ITC record, this Court will restrict distribution of the ITC record for <sup>28</sup>~~14~~ days to outside counsel only in order to provide an opportunity for any third party to move for a protective order.
4. After the <sup>28</sup>~~14~~ day period, the Protective Order issued by this Court will govern the ITC production, as set forth in 19 C.F.R. § 210.39(b) except to the extent that a third party filed a motion concerning its documents. To the extent that a third party filed a motion concerning its documents, treatment of documents subject to such motion shall be governed by any order resolving such motion.

DATED: October 9, 2015

KILPATRICK TOWNSEND & STOCKTON LLP

By: /s/ David E. Sipiora

DAVID E. SIPIORA

*Attorneys for Plaintiffs*

*LSI Corporation, Agere Systems Inc. and Avago Technologies General IP (Singapore) Pte. Ltd.*

1 DATED: October 9, 2015

BAKER & HOSTETLER LLP

2 By: /s/ Kevin W. Kirsch

3 KEVIN W. KIRSCH

4 *Attorneys for Defendants*

5 *Funai Electric Co., Ltd.; Funai Corporation, Inc.; P&F*  
6 *USA, Inc., and Funai Service Corporation*

7 IT IS SO ORDERED

8 DATED: 10/13/15

By: 

9 UNITED STATES JUDGE

10 67406437v1